

10/783,140

- 2 -

133113-2

REMARKS

Reconsideration of the application and entry of the amendment are respectfully requested. Claims 1 to 26 are currently pending, and no claims have been amended.

The Final Office Action mailed February 2, 2006 addressed claims 1 to 26. Claims 1 to 26 were rejected.

Claims 1 to 26 were rejected under 35 U.S.C. 112, second paragraph, for allegedly failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. The Examiner stated that as noted above, while stated as a preference, in view of the structures as noted on pages 5 and 6, there is no other disclosure of what other particular structures the matrix encompasses and how the structure differs from other structures wherein polycarbonate is in mixture or blended/blocked with polysiloxane.

Applicants respectfully disagree with the Examiner's rejection. Applicants respectfully submit that Applicants have distinctly claimed the invention. Applicants are not clear as to which structures the Examiner is referring on pages 5 and 6 or why the claims must be specified in accordance with the structures on pages 3 to 6 and request clarification. Additionally, Applicants respectfully submit that claims 11 to 26 do not even have the structure to which the Examiner refers and submit that claims 11 to 26 should not even be included in the rejection. Applicants respectfully request that the Examiner either clarify the rejection under 35 U.S.C. 112, second paragraph, or alternatively, reconsider and withdraw the rejection.

Claims 1 to 26 were rejected under 35 U.S.C. 102(e) as being anticipated by US 6,676,852. The Examiner stated that the reference discloses thermoplastic compositions comprising one or more thermoplastic resins and a phosphorescent compound with an aluminate matrix. The Examiner further quoted the reference, and concluded that "in view of the above rejections, there appears to be no significant difference between the reference and that which is claimed by applicant(s). Any differences not specifically

10/783,140

- 3 -

133113-2

mentioned appear to be conventional. Consequently, the claimed invention cannot be deemed as novel and accordingly is unpatentable."

Applicants respectfully disagree with the Examiner and submit that the claims are not anticipated by the reference. Applicants also respectfully submit that this is not the appropriate standard for anticipation ("there appears to be no significant difference between the reference and that which is claimed by applicant(s). Any differences not specifically mentioned appear to be conventional. Consequently, the claimed invention cannot be deemed as novel and accordingly is unpatentable" – see page 5 of the Final Office Action). Applicants respectfully remind the Examiner that the correct standard for anticipation, as set forth in MPEP section 706.02, which states that for anticipation under section 102, the reference must teach every aspect of the claimed invention either explicitly or implicitly. Applicants respectfully submit that it is incumbent upon the Examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference (See *Ex parte Levy*, 17 USPQ2d 1461, 1462). Applicants respectfully submit that the Examiner fails to address limitations of the present claims that are not disclosed in the cited reference, as previously pointed out by Applicants. Since the reference does not teach each and every element of Applicants' invention, Applicants respectfully request that the rejection of claims 1 to 26 under 35 U.S.C. 102(e) be reconsidered and withdrawn.

The Examiner is invited to telephone Applicants' attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

10/783,140

- 4 -

133113-2

**CONCLUSION**

Applicants respectfully request reconsideration and allowance of each of the presently objected and rejected claims, claims 1 to 26. Applicants respectfully request allowance of claims 1 to 26, the claims currently pending.

Respectfully submitted:  
ROBERT W. VENDERBOSCH ET AL.

By Michelle Bugbee  
Michelle Bugbee  
Attorney for Applicants  
Registration No. 42,370  
Telephone No. (413) 448-7208

GENERAL ELECTRIC CO  
One Plastics Avenue  
Pittsfield, MA 01201  
March 2, 2006